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16 Jun 2006

Attorney for Appellants

CERTIFICATE OF MAILING

PATENT
Docket No. 3201.2.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Joseph V. Simmons, et al.)
)
Serial No.:	09/976,187)
) Art Unit
Filed:	October 12, 2001) 2123
)
For:	HEATING, VENTILATING, AND AIR- CONDITIONING DESIGN APPARATUS AND METHOD)
)
Examiner:	Kandasamy Thangavelu)
)
Date of Notice of Allowance:	May 9, 2006)
)

SUPPLEMENTAL DECLARATION

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Joseph V. Simmons, Benjamin L. Davis and Alan L. Nicoll, the inventors named in the above-identified patent application, hereby declare: that we are citizens of the United States; that our residences and post office addresses are 6951 West 9600 North, Highland, Utah 84003; 13965 South Hoyt Peak Circle, Riverton, Utah 84065; and 1387 East 2000 North, Lehi, Utah 84043,

respectively, that we verily believe we are the original, first and co-inventors of the subject matter of the invention or discovery for which a patent is sought and which is described and claimed in the above-identified application; that the subject matter of the amendments dated February 19, 2003, June 27, 2005, December 22, 2005, and April 18, 2006, was part of our invention and was invented before the filing of the original, above-identified patent application; that we have reviewed and understand the contents of the specification of the above-identified application, including the claims, as amended by the amendments referred to above; and that we acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability as defined in Section 1.56 of Title 37 of the Code of Federal Regulations.

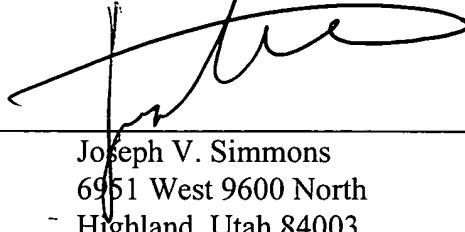
We claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed U.S. provisional application Serial No. 60/240,197 filed October 12, 2000 and entitled HEATING, VENTILATING, AND AIR-CONDITIONING DESIGN APPARATUS AND METHOD; and, insofar as the subject matter of the claims of this application are not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose to the Patent and Trademark Office all information known to us to be material to patentability as defined in Section 1.56 of Title 37 of the Code of Federal Regulations, which became available between the filing date of the earlier filed application and the filing date of this application.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful, false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed at SLC, Utah this 6 day of June, 2006.

Inventor


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Signed at SLC, Utah, this 6 day of JUNR, 2006.

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